

Notice of Allowability

Application No.

10/068,997

Examiner

Nelson D. Hernandez

Applicant(s)

ISHIMARU ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11 July 2005.
2. ☒ The allowed claim(s) is/are 1-5,9 and 10.
3. ☒ The drawings filed on 11 July 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment

1. Examiner acknowledges amendments made on the claims and drawings received on July 11, 2005. Claims 6-8 have been cancelled. Drawings are acceptable.

Allowable Subject Matter

2. **Claims 1-5, 9 and 10** are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 1, 4 and 10, the main reason for indicating allowable subject matter is because the prior art fails to teach or reasonably suggest that the artificial light detection section for calculating the ratio of artificial light and natural light from the output of said visible light brightness detection section and the output of said infrared light detection section, wherein a correction range for performing the white balance correction is obtained based on the ratio natural artificial light and natural light calculated by said artificial light detection section, and the white balance correction is performed when the two color difference signals are within said correction range.

Saito, US Patent 5,319,449 discloses a camera (Fig. 1) capable of white balance correction comprising: an image pickup optical system (Fig. 1: 1); an image sensor (Fig. 1: 3) for receiving light from an object through this image pickup optical system; a three-primary-color detection section (The sensor captures the image using a complementary color filter but transfer the signals to primary color signals using matrix circuit in fig. 1: 7) for detecting three-primary-color signals based on the output of the image sensor; a

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matrix processing section (Fig. 1: 10) for calculating two difference signals from the three-primary-color signals; visible light brightness detection section (Fig. 1: 12, the microcomputer calculates the brightness of the object) for detecting visible light brightness by the output from said three-primary-color detection section; an artificial light detection section (Fig. 1: 20) for identifying the type of light being used for illuminating the object to be photographed; wherein a correction range for performing the white balance correction is obtained based on the type of illumination detected by the microcomputer 20 by comparing the luminance with different ranges representing different types of illumination (See figs. 8 and 10) (Col. 6, line 29 – col. 8, line 9; col. 9, lines 13-53; col. 10, lines 6-44; col. 13, line 31 – col. 14, line 9; col. 14, line 37 – col. 15, line 3; col. 16, lines 25-57). However, Saito fails to teach or reasonably suggest that the artificial light detection section for calculating the ratio of artificial light and natural light from the output of said visible light brightness detection section and the output of said infrared light detection section, wherein a correction range for performing the white balance correction is obtained based on the ratio natural artificial light and natural light calculated by said artificial light detection section, and the white balance correction is performed when the two color difference signals are within said correction range.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 8:00 A.M. to 5:30 P.M..


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nelson D. Hernandez
Examiner
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NDHH
July 20, 2005


THAI TRAN
PRIMARY EXAMINER